

26217-15

**Mauro, Thomas A (DOCCS)**

---

**From:** Mauro, Thomas A (DOCCS)  
**Sent:** Wednesday, March 25, 2015 1:40 PM  
**To:** Russo, Anthony C (DOCCS)  
**Subject:** 26217-15, Fox, 12b1626

Sir,

Please be advised that I have not received a complete investigation for this grievance. It was sent to LT. Madison on 2/24/15. What I do have in my possession is a response memo fro SGT C. to you dated 2/3/15 in response to a complaint from the I/M. I am missing an investigation following the receipt of the "grievance complaint" and a memo from CO Cruz. This memo was provided to me in response to a complaint that was to be consolidated in the same. Again, the red folder with a complete investigation was not received by me. If you need a copy let me know! This complaint was also forwarded to you to be logged in PREA book.

Thanks, Tom

**Thomas A. Mauro**

Inmate Grievance Program Supervisor

Department of Corrections and Community Supervision  
Eastern New York Correctional Facility  
30 Institution Road  
PO Box 338  
Napanoch, NY 12458-0338  
(845) 647-7400 ext 4700/4705 [Thomas.Mauro@doccs.ny.gov](mailto:Thomas.Mauro@doccs.ny.gov)

[www.doccs.ny.gov](http://www.doccs.ny.gov)

JAVELL FOX 1281626 WEST WING 22-4  
2/12/15

(49)  
Alleged Retaliation,  
sexual harassment  
& unprofessional  
behavior

GRIEVANCE NO 26217-15

EASTERN CORRECTIONAL FACILITY

Employee MANUAL § 3 (3.4 FALSIFICATION  
OF RECORDS

On January 30 2015 I was written a  
misbehavior report by officer KOZAK, officer  
KOZAK wrote the misbehavior report in  
retaliation of me using the grievance process  
against his peers on in particular <sup>officer</sup> COUZ,  
On February 12, 2015 I was found not  
guilty of the misbehavior report, officer  
KOZAK is malicious, and a criminal.

Javell Z

action requested

Officer KOZAK needs to be  
ARRESTED, AND I need to be moved  
from WEST WING,

JAVELL FOX RB1624 WEST WING 22-4  
DATE February 12, 2015

GRIEVANCE NO. 762715  
EASTERN CORRECTIONAL FACILITY

ON JANUARY 26, 2015 I WAS MOVED  
TO WEST WING. I DON'T KNOW WHY.  
SINCE I'VE BEEN ON WEST WING I'VE  
BEEN HARASSED AND SEXUALLY HARASSED.  
I WAS MOVED TO WEST WING (THE ONLY  
REASON I COULD THINK OF) AS PUNISHMENT,  
A OFFICER THAT CONTROL THE BLOCK IS  
A OFFICER THAT I'VE WRITTEN 2 PRIOR  
GRIEVANCES ON, WHO WOULD MOVE ME TO A  
BLOCK WITH A OFFICER THAT I'VE WRITTEN  
2 PRIOR GRIEVANCES ON AND IT HAD TO BE AN  
INVESTIGATION BECAUSE OF IT.

Javell Fox

Action Requested

TO BE MOVED FROM WEST WING

JAVELL FOX 12B1624 WESTWING 22-4  
February 12, 2015

GRIEVANCE NO 26217-15

# EASTERN CORRECTIONAL FACILITY

On January 26, 2015 Officer CRUZ told me to get the fuck in my cell, he DRAGGED my Blanket on the Dirty floor. on January 27, 2015 I had a call out, he frisked me in a sexual way, but aggressive, he rubbed up my testicles and pulled my legs. then he read my legal mail. this officer is insane.

Jaquell Ze

Action Requested

FOR OFFICER CRUZ to be ARRESTED  
AND FIRED AND FOR ME TO BE MOVED FROM  
WEST WING.

JAVELL FOX 12B1626 West wing 22-4 2017-15  
2-12-15

Grievance No

## EASTERN CORRECTIONAL FACILITY

OFFICER CRUZ on the Above date conducted a pat frisk supposedly for safety and security before I entered the room for a hearing. OFFICER CRUZ Had me stand in a wet spot and told me to spread my legs he made me step back then he began to pull the back of my pants down. he stepped in between my legs and leaned against my Buttocks, then he patted up my legs rubbing my thigh and groping my Penis and testicles then he stated "he forgot my pussy hurt. OFFICER CRUZ smelled like Alcohol. he WAS Drunk. these are violations of employee manual section 2.12, 2.18 conduct and activities of employees, this is sick behavior and i'm not gonna tolerate it no more. I don't feel safe. he also was kicking my feet.

Javell Fox

Action requested  
I request that OFFICER CRUZ be Arrested, he's constantly staring in my assigned cell at times when there is no reason to, these are homosexual activities and I've been violated. I request to be moved from west wing or this whole

JAVELL FOX 12B1626 west wing 22-4 26-17-15  
February 12-2015

On 12-10-15 Officer Rodriguez  
told me I'm looking Foxy, this is  
A Homosexual Comment, And I'm furious  
At his Advances.

Javell Fox

Action Requested.

To Be Removed From West Wing  
And Officer Rodriguez Arrested  
And Fired

21217-15

Javell Fox 1281626 West wing 22-4

2-12-15

Grievance No

EASTERN CORRECTIONAL FACILITY

Sgt Cerclari fails to do investigation, he tells me if this was 1998 he would drag me out of the cell and whatever happens, happens. he allows officers to do whatever they want and he covers up for them. and he tries to intimidate me to stop me from using the grievance system.

Javell Fox

Action Requested

Sgt Cerclari should be demoted, I request to be moved from west wing where he supervises, and to never have him investigate none of my claims.

JAVELL FOX 12B1626 WW 22-04  
February 24, 2014

26217-15

Consolidate

Grievance No,

EASTERN CORRECTIONAL FACILITY

EMPLOYEES MANUAL § 2

CONDUCT AND ACTIVITIES OF EMPLOYEES

2.2 Lawful Comportment

Dated February 12, 2015 in a  
a complaint stating 2.18 sexual abuse  
I made superintendant aware that  
I was sexually violated by officer  
Cruz pulling the back of my pants  
down, rubbing against my buttocks, and  
rubbing my thighs and groping my  
penis and testicles. I requested to be  
moved from west wing where officer  
Cruz is the escort officer, However  
I've been left around the officer that  
violated my manhood and who comes to  
work drunk, not in an alert state  
of mind. Why I'm being left in west  
wing around this officer who violated  
me I request to be moved immediately



26217-15  
Jameel Te

Action Requested

TO BE MOVED FROM WEST WING  
AWAY FROM OFFICER CRUZ OR PLACED  
IN PROTECTIVE CUSTODY UNDER OFFICER  
CRUZ.

## EASTERN CORRECTIONAL FACILITY

IGRC OFFICE ACKNOWLEDGEMENT RECEIPTTO: FOX DIN: 12B1626 CELL: 22-4This notice is to inform you that your grievance(s) dated 2/12  
was/were filed on \_\_\_\_\_.Log # ECF- 26217-15

FEB 23 REC'D

CODE: 49TITLE: Alleges Retaliation, sexual Harassment

*Your log number, DIN, and cell location must be included on any inquiries made concerning your grievance.*

Upon completion of an investigation and if not resolved you will be scheduled for an IGRC hearing within 16 calendar days of the filing date. According to Directive #4040 if you do not appear for the hearing without a legitimate reason, the IGRC can hold a hearing in absentia. If 3 scheduled hearings are missed due to legitimate reasons the IGRC can hold the hearing in absentia. When a grievant is kept locked over thirty (30) days a hearing can be held in absentia.

If your grievance is numbered as part of a consolidate issue, you may or may not be called for a hearing. However, you will receive a copy of the grievance committee's decision, and you may appeal any decision in accordance with Directive #4040.

Grievances coded 25.1, 25.2 or 49 are passed directly through to the Superintendent for action. An investigation will be conducted and the Superintendent should respond within 25 days of the filing date. No IGRC hearing will be held.

If a response is considered untimely then the IGRC Office may contact you to ask for an extension or you can request in writing that it be appealed to the next level.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

IGRC Clerk CH IGP Supervisor \_\_\_\_\_ IGRC Sergeant \_\_\_\_\_

EA004 (09/14)

STATE OF NEW YORK - DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION  
EASTERN NEW YORK CORRECTIONAL FACILITY  
NAPANOCH, NEW YORK 12458

TO:

LT. MADISON

FROM:

THOMAS A. MAURO, I.G.P. SUPERVISOR

DATE:

2/24/15

SUBJECT:

GRIEVANCE COMPLAINT ECF#:

26217-15

LT- to conduct  
investigation (Allegation  
against Sgt. Corciari -)  
Thanks,  
Tom

The attached grievance complaint concerns your department. Please investigate and report your findings on the attached IGRC Investigation Form. Directive 4040 mandates that a hearing is to be held within sixteen (16) calendar days from the file date.

Make sure your signature, title, and date of investigation are included in your response.

Your investigation is due back in IGRC by:

3/3/15

COB.

Attachment

FOX, RB1626

cc: File

26217-15

**Mauro, Thomas A (DOCCS)**

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**Sent:** Wednesday, March 25, 2015 1:40 PM  
**To:** Russo, Anthony C (DOCCS)  
**Subject:** 26217-15, Fox, 12b1626

Sir,

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Thanks, Tom

**Thomas A. Mauro**

Inmate Grievance Program Supervisor

**Department of Corrections and Community Supervision**

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26702-15

STATE OF NEW YORK

DEPARTMENT OF CORRECTIONS  
AND COMMUNITY SUPERVISION

EASTERN NEW YORK CORRECTIONAL FACILITY

ANTHONY J. ANNUCCI  
ACTING COMMISSIONER

PO BOX 338  
30 INSTITUTION ROAD  
NAPANOCH, NEW YORK 12458  
(845) 647-7400

WILLIAM A. LEE  
SUPERINTENDENT

TO: A. Russo, DSS.  
From: A. Ciorciari, Sgt.  
RE: Fox-12B1626 complaint  
Date: 2/3/15

Sir,

In the above mentioned inmates complaint, inmate Fox-12B1626 alleges that Officer S. Cruz has been harassing him by using insolent language and by dragging his property on the dirty floor. He also alleges that Officer S. Cruz had him stretch his legs out too far and lean forward during a pat frisk in which this inmate stated Officer Cruz rubbed his hands roughly across his penis and testicles. This inmate had also made allegations of not being afforded opportunities to take keeplock showers.

I interviewed this inmate on 2/3/15 at approximately 10:30am at his cell 21-29. He stands by this complaint as factual, offering no evidence, witnesses, or any further information to support his allegations.

I spoke with Officer S. Cruz who stated to me that he never dragged this inmates property on any floor. He also stated to me that he never harassed this inmate by using abusive or insolent language while dealing with him. Officer Cruz did infact conduct a pat frisk on this inmate upon entering his call out. Officer Cruz did state that he ordered the inmate to put his hands on the wall on step back so he could perform a pat frisk. He added that at no time did he have to inmate step back too far. He also stated at no time did he ever rub his hands roughly over inmate Fox's penis or testicles. The pat frisk was done in accordance with directive 4910, page 3, section B. Officer Cruz told me he at no time denied this inmate a chance to take a shower.

Prior to inmate Fox's transfer from South Hall to West Wing, Officer Rziemiencki offered this inmate a keeplock shower at approximately 10:30am. Inmate Fox refused the shower and it was logged in the block log book.

Based on my investigation, information retrieved from the log book, and staff memorandums, I find no evidence to substantiate the allegations fabricated by this inmate. Inmate Fox attempted to manipulate staff by refusing a shower in South Hall and file a complaint that he was denied a shower in West Wing. Officer Cruz conducted himself in a professional manner at all times while dealing with this inmate. Lastly, I find this complaint to be baseless and without any merit.

Respectfully submitted,

Sgt. A. Ciorciari

EASTERN NEW YORK CORRECTIONAL FACILITY  
NAPANOCH, NEW YORK 12458  
INTERDEPARTMENTAL COMMUNICATION

DATE: 2/23/15

TO: W. LEE, Superintendent  
FROM: T. MAURO, Inmate Grievance Supervisor  
SUBJ.: PERSONAL CONDUCT - ECF# 26217-15

Per Directive #4040, please review the attached grievance that is being forwarded to your office for Code determination.

\_\_\_: Not considered Code 49, process as a regular grievance

X: Process as Code 49, Staff Conduct

+ copy to DSS -

Superintendent W. Lee

Dated 2/23/15

copy to  
DSS for  
PREA Log  
Frisk complaint

**Eastern NY Correctional Facility**  
**CASE HISTORY AND RECORD**

**GRIEVANCE:** ECF #26217-15

**NAME:** Fox, Javell

**DIN:** 12B1626

**TITLE:** Alleges Retaliation/Sexual Harassment

**INSTITUTIONAL/DEPARTMENTAL CODE:** I-49

**DATE FILED:** 2/23/15

**IGRC HEARING DATE:** None

**SUPERINTENDENT DATE:** 4/21/15

**APPEAL DATE:** 4/22/15

**INVESTIGATION**

**IGRC INVESTIGATION DATE:** \_\_\_\_\_

**FACILITY POLICY #** \_\_\_\_\_

**SUPERVISOR DATE:** \_\_\_\_\_

**EMPLOYEE DATE:** \_\_\_\_\_

**PRIOR CORC:** \_\_\_\_\_

**OTHER:** \_\_\_\_\_

  
\_\_\_\_\_  
Mr. Mauro, IGP Supervisor

**EASTERN NEW YORK CORRECTIONAL FACILITY**  
**CASE HISTORY**

**NAME:** Fox, Javell, Din# 12B1626 (2)  
**ECF:** #26217-15  
**TITLE:** Alleges Retaliation/Sexual Harassment

**CODE:** I-49  
**REFERENCE:**  
**SUPT.:** W. Lee

**GRIEVANCE:** [February 12 & 24, 2015] Grievant files multiple complaints regarding his interaction with staff and suggests that he is being targeted because he has filed grievances in the past. In one complaint which allegedly took place on 12/10/15 he claims that C.O. Rodriguez "told [him he's] looking sexy" and felt it was sexual harassment. In another complaint which does not indicate when the incident allegedly occurred, he claims that Sgt. Cerciani intimidated and threatened him when he was suppose to be investigating his complaint. On another complaint which allegedly happened on 1/26/15 and 1/27/15 he claims that C.O. Cruz used profane language towards him. On 1/27/15 the C.O. Cruz sexually assaulted him during a pat frisk and read his legal mail. Grievant also accuses C.O. Kozak of falsifying a misbehavior report on 1/30/15 in retaliation for the grievance he filed against C.O. Cruz. Grievant claims he is afraid for his life, and that C.O. Cruz was drunk on alcohol when the incident occurred.

**ACTION REQUESTED:**

- 1) Grievant wants employees arrested for violating the law;
- 2) he wants to be moved from West Wing where C.O. Cruz is stationed;
- 3) he wants protective custody because he fears for his life;
- 4) he wants to see a mental health professional;
- 5) he wants the Sgt. to be demoted.

**INVESTIGATION:** The investigation included an interview with the grievant and identified staff: staff denies all claims made against them.

**RESPONSE OF IGRC:** None.

**SUPERINTENDENTS RESPONSE:** [April 21, 2015] Grievance is Denied. The superintendent rejects all of the grievant's claims and accepts the denials of his staff.

**APPEAL TO CORC:** [April 22, 2015] Grievant asserts his claims and adds that the superintendent is "covering up for officer."

**APPEAL CLERK**



**EASTERN NEW YORK CORRECTIONAL FACILITY  
NAPANOCH, NEW YORK 12458  
INTERDEPARTMENTAL COMMUNICATION**

**DATE: 2/23/15**

**TO: W. LEE, Superintendent**  
**FROM: T. MAURO, Inmate Grievance Supervisor**  
**SUBJ.: PERSONAL CONDUCT - ECF# 26217-15**

**Per Directive #4040, please review the attached grievance that is being forwarded to your office for Code determination.**

      : Not considered Code 49, process as a regular grievance

  X  : Process as Code 49, Staff Conduct

*7 copy to DSS -*

Superintendent *W. Lee*

Dated *2/23/15*

JAVELL FOX 1281626 WEST WING 22-4  
2/12/15

(49)  
Alleged Retaliation,  
sexual Harassment  
& Unprofessional  
Behavior

GRIEVANCE NO 26217-15

EASTERN CORRECTIONAL FACILITY

Employee MANUEL § 3 (3.4 FALSIFICATION  
OF RECORDS

On January 30 2015 I was written a  
misbehavior report by officer KOZAK. officer  
KOZAK wrote the MISBEHAVIOR report in  
Retaliation of me using the grievance process  
against his peers on in particular <sup>officer</sup> CRUZ.  
On February 12, 2015 I was found not  
guilty of the misbehavior report. officer  
KOZAK is MALICIOUS, AND a criminal.

Javell Zp

action requested

OFFICER KOZAK needs to be  
ARRESTED, AND I need to be moved  
from WEST WING,

JAVELL FOX RB1624 WEST WING 22-4  
DATE FEBRUARY 12, 2015

GRIEVANCE NO. 262715

EASTERN CORRECTIONAL FACILITY

ON JANUARY 26, 2015 I WAS MOVED  
TO WEST WING. I DON'T KNOW WHY.  
SINCE I'VE BEEN ON WEST WING I'VE  
BEEN HARASSED AND SEXUALLY HARASSED.  
I WAS MOVED TO WEST WING (THE ONLY  
REASON I COULD THINK OF) AS PUNISHMENT,  
A OFFICER THAT CONTROL THE BLOCK IS  
A OFFICER THAT I'VE WRITTEN 2 PRIOR  
GRIEVANCES ON, WHO WOULD MOVE ME TO A  
BLOCK WITH A OFFICER THAT I'VE WRITTEN  
2 PRIOR GRIEVANCES ON AND IT HAD TO BE AN  
INVESTIGATION BECAUSE OF IT.

Javell Fox

Action Requested

TO BE MOVED FROM WEST WING

JAVELL FOX 12B1626 west wing 22-4  
February 12-2015

2617-15

On 12-10-15 Officer Rodriguez  
told me I'm looking Foxy, this is  
A Homosexual comment, And I'm furious  
At his advances.

Javell Fox

Action Requested.

TO Be Removed From West Wing  
And Officer Rodriguez Arrested  
AND FIRED

21217-15

Javell Fox RB1626 West wing 22-4

2-12-15

Grievance No

EASTERN CORRECTIONAL FACILITY

Sgt Cerclari fails to do investigation. he tells me if this was 1998 he would drag me out of the cell and whatever happens, happens. he allows officers to do whatever they want and he covers up for them. and he tries to intimidate me to stop me from using the grievance system.

Javell Fox

Action Requested

Sgt Cerclari should be demoted, I request to be moved from west wing where he supervises, and to never have him investigate none of my claims.

JAVEEL FOX 12B1626 West wing 22-4 26217-15  
2-12-15

Grievance No

## EASTERN CORRECTIONAL FACILITY

OFFICER CRUZ on the Above date conducted a pat frisk supposedly for safety and security before I entered the room for a hearing. OFFICER CRUZ Had me stand in a wet spot and told me to spread my legs he made me step back then he began to pull the back of my pants down. He stepped in between my legs and leaned against my Buttocks, then he patted up my legs rubbing my thigh and groping my penis and testicles then he stated "he forgot my pussy hurt. OFFICER CRUZ smelled like Alcohol. He was Drunk. these are violations of employee manual section 2.12, 2.18 conduct and activities of employees; this is sick behavior and i'm not gonna tolerate it no more. I don't feel safe. He also was kicking my feet.

Javeel Fox

Action requested  
I request that OFFICER CRUZ be Arrested, he's constantly staring in my assigned cell at times when there is no reason to, these are homo-sexual activities and I've been violated. or to be moved from west wing or this whole

Janell Fox 12B1624 West Wing 22-4  
February 12, 2015

Grievance No 26217-15

### EASTERN CORRECTIONAL FACILITY

On January 26, 2015 Officer Cruz told me to get the fuck in my cell, he DRAGGED my blanket on the dirty floor. On January 27, 2015 I had a call out, he frisked me in a sexual way, but aggressive, he rubbed up my testicles and pulled my legs. He read my legal mail. This officer is insane.

Janell Ze

Action Requested

For Officer Cruz to be ARRESTED  
AND FIRED AND For me to be MOVED FROM  
WEST WING.

JAVELL FOX 12B1626 WW 22-04  
February 24, 2014

26217-15

Consolidate

Grievance No,

EASTERN CORRECTIONAL FACILITY

EMPLOYEES MANUAL § 2

CONDUCT AND ACTIVITIES OF EMPLOYEES

2.2 LAWFUL COMPORTMENT

Dated February 12, 2015 in a  
a complaint stating 2.18 sexual abuse  
I made superintendant aware that  
I was sexually violated by officer  
Cruz pulling the back of my pants  
down, rubbing against my buttocks, and  
rubbing my thighs and groping my  
penis and testicles. I requested to be  
moved from west wing where officer  
Cruz is the escort officer, However  
I've been left around the officer that  
violated my manhood and who comes to  
work drunk, not in an alert state  
of mind. Why I'm being left in west  
wing around this officer who violated  
me. I want to be moved immediately.





26217-15

Jaime Jr

Action Requested

TO BE MOVED FROM WEST WING  
AWAY FROM OFFICER CRUZ OR PLACED  
IN PROTECTIVE CUSTODY UNDER OFFICER  
CRUZ.

GRIEVANT FOX, JAVELL	DIN # 12B1626	HOUSING UNIT B3-29-001
 <b>Corrections and Community Supervision</b>  <b>INMATE GRIEVANCE PROGRAM</b>  SUPERINTENDENT WILLIAM A. LEE	GRIEVANCE NO. 26217-15	DATE FILED 2/23/15
	FACILITY Eastern Correctional Facility	POLICY DESIGNATION 1
	TITLE OF GRIEVANCE Alleges Retaliation/Sexual Harassment	CLASS CODE 49
	SUPERINTENDENT'S SIGNATURE 	DATE 4/21/15

Grievant alleges retaliation and sexual harassment.

The investigation included an interview with the grievant and identified staff. During the interview grievant provided no evidence or witnesses to corroborate his grievance. Staff recollected pat frisking the grievant in accordance with DIR # 4910 but denied the allegations of unprofessional behavior. The grievant was again reminded to come into compliance regarding his hairstyle. Based on this information there is no evidence to substantiate this grievance.

\*\*\*Grievance is denied.

WL: AR/ tm

#### APPEAL STATEMENT

If you wish to refer the above decision of the Superintendent please sign and date below and return this copy your Inmate Grievance Clerk to the IGRC Office. You have seven (7) calendar days from receipt of this notice to file your appeal.\* Please state why you are appealing this decision to C.O.R.C..

Correction Staff Had no reason to frisk me first of all, because I get frisked before the Hearing start in the Hearing office. correction staff have many or numerous complaint of Harassment and probably sexual Harassment. sexual Harassment touch of my penis and testicles is not proper superintendent is covering up for officer.

GRIEVANT'S SIGNATURE

DATE

GRIEVANCE CLERK'S SIGNATURE

DATE

\*An exception to the time limit may be requested under Directive #4040, section 701.6 (g).

26217-15

**Mauro, Thomas A (DOCCS)**

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2670215

STATE OF NEW YORK  
DEPARTMENT OF CORRECTIONS  
AND COMMUNITY SUPERVISION

EASTERN NEW YORK CORRECTIONAL FACILITY

ANTHONY J. ANNUCCI  
ACTING COMMISSIONER

PO BOX 338  
30 INSTITUTION ROAD  
NAPANOCH, NEW YORK 12458  
(845) 647-7400

WILLIAM A. LEE  
SUPERINTENDENT

TO: A. Russo, DSS.  
From: A. Ciorciar, Sgt.  
RE: Fox-12B1626 complaint  
Date: 2/3/15

Sir,

In the above mentioned inmates complaint, inmate Fox-12B1626 alleges that Officer S. Cruz has been harassing him by using insolent language and by dragging his property on the dirty floor. He also alleges that Officer S. Cruz had him stretch his legs out too far and lean forward during a pat frisk in which this inmate stated Officer Cruz rubbed his hands roughly across his penis and testicles. This inmate had also made allegations of not being afforded opportunities to take keeplock showers.

I interviewed this inmate on 2/3/15 at approximately 10:30am at his cell 21-29. He stands by this complaint as factual, offering no evidence, witnesses, or any further information to support his allegations.

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Prior to inmate Fox's transfer from South Hall to West Wing, Officer Rziemiencki offered this inmate a keeplock shower at approximately 10:30am. Inmate Fox refused the shower and it was logged in the block log book.

Based on my investigation, information retrieved from the log book, and staff memorandums, I find no evidence to substantiate the allegations fabricated by this inmate. Inmate Fox attempted to manipulate staff by refusing a shower in South Hall and file a complaint that he was denied a shower in West Wing. Officer Cruz conducted himself in a professional manner at all times while dealing with this inmate. Lastly, I find this complaint to be baseless and without any merit.

Respectfully submitted,

Sgt. A. Ciorciar



## Corrections and Community Supervision

ANDREW M. CUOMO  
Governor

ANTHONY J. ANNUCCI  
Acting Commissioner

To: Supt. W. Lee  
From: Lt. E. Madison  
Subject: Grievance # 26217-15 submitted by inmate Fox, J 12B1626

Sir:

I have interviewed inmate Fox in regard to his complaints filed on various Officers and Sergeant Ciorciari. Inmate Fox stated to me that he had no witnesses for me to interview and had no further statements to provide. During my interview and questions in regard to said complaints inmate Fox was uncooperative and refused to answer any questions.

I have also interviewed Sergeant Ciorciari and the following Officers obtaining responses from each that inmate Fox has submitted complaints against; W. Kozack, S. Cruz, M. Rodriguez as well as a response from Sergeant P. Barg.

I find no merit in the submitted grievance by inmate Fox, he was unable to support any claim against staff. His failure to cooperate with the investigation into his submitted complaints further supports my findings. Furthermore inmate Fox's failure to comply with staff direction on a continuous basis further substantiates my reasons for finding no merit in this complaint. His attempt to utilize the grievance system for his failure to follow staff direction is evident based upon the amount misbehaviors reports he has received recently.

Respectfully submitted

A handwritten signature in black ink, appearing to read "Lt. E. Madison".

Lt. E. Madison



## Corrections and Community Supervision

ANDREW M. CUOMO  
Governor

ANTHONY J. ANNUCCI  
Acting Commissioner

To: Lt. C. Haugen  
From: Sgt. A. Ciorciari  
Subject: Fox-12B1626 complaint  
Date: 2/20/15

---

Sir,

On 2/12/15, I did in fact interview this above named inmate in regards to one of his previous complaints. During that interview, I asked the inmate several questions in regards to his complaint. I never at any time stated that back in 1998 he would have been dragged out of his cell and whatever happened, happened. I conducted myself in professional manner throughout the interview with this inmate.

Respectfully Submitted,

Sgt. A. Ciorciari



## Corrections and Community Supervision

ANDREW M. CUOMO  
Governor

ANTHONY J. ANNUCCI  
Acting Commissioner

To: Lieutenant Madison  
From: Correction Officer W. Kozack  
Subject: Inmate Fox Din# 12B1626  
Date: 3/13/15

On JANUARY 30<sup>th</sup>, 2015, I, CO Kozack wrote a misbehavior report on Inmate Fox Din# 12B1626 because he was exercising with his cane in the West Wing Keep Back Yard. According to the medical restriction report written by Dr. Andola, Inmate Fox was issued a cane because he had a bad back and was not allowed because medical restriction stated "no exercising Allowed." I, CO Kozack, am not aware of any prior grievances made toward other West Wing officers.

Respectfully Submitted,  
Correction Officer W. Kozack  
Correction Officer W. Kozack



## Corrections and Community Supervision

ANDREW M. CUOMO  
Governor

ANTHONY J. ANNUCCI  
Acting Commissioner

### MEMORANDUM

To: Sgt. Barg

From: C.O. S. Cruz

Subject: Inmate Fox 12B1626 Grievance #26217-15

Date: 03/16/15

---

On 2/12/15 I, Officer S. Cruz, escorted Inmate Fox 12B1626 to West Wing court. To maintain safety all keep lock inmates are pat frisked before being escorted out of the block. I did not grope, rub or pat frisk Inmate Fox in a sexual manner. The pat frisk was conducted in compliance with Directive #4910. I did not kick Inmate Fox's feet, pull down his pants or try to provoke him in any manner. At no time did I make inappropriate comments to Inmate Fox. While on duty at Eastern Correctional Facility I conduct myself in a professional manner at all times.

Respectfully Submitted,

A handwritten signature in black ink, appearing to be "S. Cruz", written over a large, stylized circular flourish.

S. Cruz



STATE OF NEW YORK  
DEPARTMENT OF CORRECTIONAL SERVICES  
EASTERN CORRECTIONAL FACILITY

TO : SGT. BARG  
FROM : C/O M. RODRIGUEZ  
SUBJECT: INMATE FOX 1231626(224)  
DATE : 3/16/15

OFFICER M. RODRIGUEZ WAS NOT WORKING  
IN WEST WING ON 12/10/15. AT NO TIME I  
MADE ANY COMMENTS OR ADVANCES TOWARD  
INMATE FOX 1231626.

Respectfully  
Submitted,

M. Rodriguez



## Corrections and Community Supervision

ANDREW M. CUOMO  
Governor

ANTHONY J. ANNUCCI  
Acting Commissioner

### MEMORANDUM

To: Sgt. Barg

From: C.O. S. Cruz

Subject: Inmate Fox 12B1626 Grievance #26217-15

Date: 03/16/15

---

On January 26, 2015 I C.O. S. Cruz was on duty as the #2 officer in West Wing. Inmate Fox did move to 21-29 cell from South Hall. I did help inmate Fox move his property due to the fact inmate Fox was walking with a cane. I picked inmate Fox's mattress up and never dragged it on the floor. When I unlocked inmate Fox's cell I didn't say or use any obscene vulgarity towards inmate Fox. All these allegations inmate Fox has stated are all false. I did escort inmate Fox to the guard room floor for a call out. Before entering his call out I conducted a pat frisk on him and his personal property (envelope with legal paper work in it) per Directive# 4910. At no time have I harassed, or deny him a keep lock shower. While on duty at Eastern Correctional Facility I conduct myself in a professional manner at all times.

Respectfully Submitted,

A handwritten signature in black ink, appearing to be "C.O. S. Cruz".

C.O. S. Cruz



## Corrections and Community Supervision

ANDREW M. CUOMO  
Governor

ANTHONY J. ANNUCCI  
Acting Commissioner

To: Lt. E. Madison

From: P. Barg Sergeant

Subject: Fox 12B1626 conduct grievance#26217-15

Date: March 20, 2015

Sir:

I have conducted an investigation into inmate Fox's 12B1626 4 combined grievances and can not find any merit or substance to this inmate's allegations. I interviewed the inmate and he nothing to add or retract from any of the grievances. I asked the inmate if he had any witnesses to the alleged incidents and he claimed to. When asked to supply names so I could interview them he stated they don't want to talk to security. He additionally stated that he needs to be protected from staff.

I interviewed Officer M. Rodriguez and he stated that he has made no comments or advances towards inmate Fox. He additionally stated that he has not had the opportunity to work in West Wing on 12-10-15 since it has not occurred yet. If the inmate meant 12-10-14 and he is only reporting it on 2-12-15 the grievance is untimely.

I also interviewed Officer Cruz about the allegations and he denies all of them. He pat frisked the inmate prior to a tier Hearing which is good correction practice according to Directive 4910. He has also ordered the inmate to come into compliance with grooming standards due to his hair style. The inmate refused and he was written up by Officer Cruz which I feel why these allegations are being brought.

Finally the one thing that carries all the way through all 4 of the grievances is that the inmate does not like the fact that he houses in West Wing.

Respectfully Submitted

P. Barg Correction Sergeant

A handwritten signature in cursive script, appearing to read "P. Barg Sgt.", written in dark ink.



## Corrections and Community Supervision

ANDREW M. CUOMO  
Governor

ANTHONY J. ANNUCCI  
Acting Commissioner

### MEMORANDUM

**To:** Sgt. Barg

**From:** C.O. S. Cruz

**Subject:** Fox 12B1626 Grievance# 26217-15

**Date:** 03/21/15

---

On January 26, 2015 Inmate Fox 12B1626 was South Hall to West Wing and was in Keeplock status. I never harassed or sexually harassed inmate Fox. One of my duties as the West Wing #2 officer is to assist the #1 officer and maintain movement on and off the block. I don't no why inmate Fox was moved to West Wing that is controlled by the movement Sergeant. While on duty at Eastern Correctional Facility I conduct my self in a professional manner at all times.

Respectfully Submitted,

A handwritten signature in black ink, appearing to be "C.O. S. Cruz".

C.O. S. Cruz



## Corrections and Community Supervision

**ANDREW M. CUOMO**  
Governor

**ANTHONY J. ANNUCCI**  
Acting Commissioner

To: Lt. E. Madison  
From: Sgt. A. Ciorciari  
Subject: Inmate Fox 12B1626 grievance 26217-15  
Date: 3/25/15

---

Sir,

On the date in question, 2/12/15, I did in fact interview the above named inmate in regards to one of his complaints. I asked the inmate a series of questions that pertained to the nature of his allegations towards staff. At no time during that interview did I ever mention to this inmate what he alleges. I never stated if this was 1998 I would drag him out of his cell and whatever happens, happens. I do not allow Officers to do whatever they want, nor do I cover up for them. I have never tried to intimidate this inmate or any other inmate.

This inmate filed a complaint on 2/12/15 alleging the same accusations. That complaint was answered by me on 2/20/15. It is this writer's belief this inmate is attempting to manipulate staff and the grievance system by repeatedly filing the same grievance.

As a supervisor I have never conducted myself in any manner that could be considered unprofessional and or disrespectful towards any inmate or staff member. To state that I have acted inappropriate and or confrontational is a complete misrepresentation of myself, and the level of professionalism I display while on duty.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "A. Ciorciari".

Sgt. A. Ciorciari





**Corrections and  
Community Supervision**

**ANDREW M. CUOMO**  
Governor

**ANTHONY J. ANNUCCI**  
Acting Commissioner

**MEMORANDUM**

**FROM:** Karen Bellamy, Director, Inmate Grievance Program  
**SUBJ:** Receipt of Appeal

J FOX 12B1626 6/20/2015  
Eastern NY Correctional Facility  
Your grievance ECF-26217-15 entitled  
Retaliation/Sexual Harassment  
was rec'd by CORC on 6/4/2015



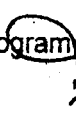
## Corrections and Community Supervision

ANDREW M. CUOMO  
Governor

ANTHONY J. ANNUCCI  
Acting Commissioner

### MEMORANDUM

TO: Office of Special Investigations

FROM: Karen Bellamy, Director, Inmate Grievance Program 

DATE: July 8, 2015

SUBJ: CORC Decision: ECF-26217-15

---


The attached decision is forwarded to you for information.

CORC notes that the grievant (J. Fox, #12-B-1626) filed a grievance regarding a matter that is currently being investigated by your office under case #SCU-15-0123. A copy is being forwarded for whatever action is deemed necessary.

KRB/cl  
Attachment

cc: Grievance File - ECF-26217-15  
William Lee, Superintendent, Eastern NY Correctional Facility  
Thomas Mauro, IGP Supervisor, Eastern NY Correctional Facility



 <p><b>NEW YORK STATE</b> <b>Corrections and Community Supervision</b></p> <p>ANDREW M. CUOMO Governor</p> <p>ANTHONY J. ANNUCCI Acting Commissioner</p>	Grievance Number <b>ECF-26217-15</b>	Design Code <b>I/49</b>	Date Filed <b>2/23/15</b>
	Associated Cases		Hearing Date <b>7/8/15</b>
	Facility <b>Eastern NY Correctional Facility</b>		
INMATE GRIEVANCE PROGRAM CENTRAL OFFICE REVIEW COMMITTEE		Title of Grievance <b>Retaliation/Sexual Harassment</b>	

### GRIEVANT'S REQUEST UNANIMOUSLY DENIED AS WITHOUT MERIT

Upon full hearing of the facts and circumstances in the instant case, the action requested herein is hereby denied as without merit. CORC upholds the determination of the Superintendent for the reasons stated.

CORC notes that Officer R... denies making sexual comments to the grievant on 12/10/14, Officer K... denies writing a false misbehavior report on 1/30/15, and Sergeant C... denies threatening or intimidating him on 2/12/15. In addition, Officer C... denies verbally harassing him, reading his legal paperwork or dragging his personal property on the floor on 1/26/15, or pat frisking him in a sexual manner on 1/27/15 and 2/12/15. CORC notes that his allegations of voyeurism and inappropriate touching during a 2/12/15 personal search are currently being investigated by the Office of Special Investigations. CORC finds insufficient evidence of retaliation or malfeasance by staff.

CORC notes that Directive #4040, § 701.1, states, in part, that the grievance program is not intended to support an adversary process, and upholds the discretion of the Superintendent to assign supervising security staff to conduct grievance investigations. CORC asserts that the dismissal of a misbehavior report or charges in a report does not necessarily mitigate the circumstances of the incident, confirm malfeasance by staff, or call in to question the appropriateness of issuing the report as a means of documenting what transpired. CORC also asserts that there is no provision in Department policy for an inmate to request protective custody from staff, and that the grievant is not entitled to house where he chooses. It is noted that he was moved from the West Wing to B block, effective 3/27/15.

In regard to the grievant's appeal, CORC upholds the discretion of facility staff to determine when to conduct a pat frisk. He should address security issues to an area supervisor at the time of the incident and mental health concerns to OMH staff.


RAS/cl

FOX

1251626

27-5

B3

 <b>NEW YORK STATE</b> <b>Corrections and Community Supervision</b>  ANDREW M. CUOMO Governor ANTHONY J. ANNUCCI Acting Commissioner	Grievance Number ECF-26217-15	Desig./Code I/49	Date Filed 2/23/15
	Associated Cases		Hearing Date 7/8/15
	Facility Eastern NY Correctional Facility		
INMATE GRIEVANCE PROGRAM CENTRAL OFFICE REVIEW COMMITTEE		Title of Grievance Retaliation/Sexual Harassment	

### GRIEVANT'S REQUEST UNANIMOUSLY DENIED AS WITHOUT MERIT

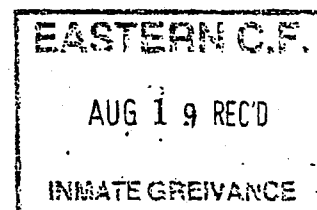
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CORC notes that Directive #4040, § 701.1, states, in part, that the grievance program is not intended to support an adversary process, and upholds the discretion of the Superintendent to assign supervising security staff to conduct grievance investigations. CORC asserts that the dismissal of a misbehavior report or charges in a report does not necessarily mitigate the circumstances of the incident, confirm malfeasance by staff, or call in to question the appropriateness of issuing the report as a means of documenting what transpired. CORC also asserts that there is no provision in Department policy for an inmate to request protective custody from staff, and that the grievant is not entitled to house where he chooses. It is noted that he was moved from the West Wing to B block, effective 3/27/15.

In regard to the grievant's appeal, CORC upholds the discretion of facility staff to determine when to conduct a pat frisk. He should address security issues to an area supervisor at the time of the incident and mental health concerns to OMH staff.

RAS/cl



26198-151

26147-14

**Mauro, Thomas A (DOCCS)**

---

**From:** Mauro, Thomas A (DOCCS)  
**Sent:** Tuesday, April 28, 2015 11:56 AM  
**To:** Vanbergen, Chris M (DOCCS)  
**Subject:** FW: ECF 26147-14, FOX, 12B1626

I should also note that for some reason the grievant darkened his photocopied signature and the date on the original copy of this 12/29/14 document.

---

**From:** Mauro, Thomas A (DOCCS)  
**Sent:** Tuesday, April 28, 2015 11:50 AM  
**To:** Vanbergen, Chris M (DOCCS)  
**Subject:** RE: ECF 26147-14, FOX, 12B1626

I reviewed the folder from IGRC office as well. There were no previous pages dated 12/29/14 contained in that folder either. This was one of the many copies of documents submitted by the grievant as part of his appeal for ECF 26147-15. Everything else was accounted for. I also checked the folders for ECF 26198-15. This "last page" dated 12/29/14 was not part of that grievance either. I will add a copy of the document in question to that folder (ECF 26198-15) as it pertains to the issue with his advance requests. It should be noted to date I have not received an appeal for ECF 26198-15 to CORC for Supt. response dated 4/9/15.

Tom

---

**From:** Vanbergen, Chris M (DOCCS)  
**Sent:** Monday, April 27, 2015 4:06 PM  
**To:** Mauro, Thomas A (DOCCS)  
**Subject:** RE: ECF 26147-14, FOX, 12B1626

Okay, thank you Tom.  
Chris

---

**From:** Mauro, Thomas A (DOCCS)  
**Sent:** Monday, April 27, 2015 2:54 PM  
**To:** Vanbergen, Chris M (DOCCS)  
**Subject:** RE: ECF 26147-14, FOX, 12B1626

I see what you are referring to. I don't have anything in my folder. I will check out back to see if any preceding pages were submitted by the grievant dated 12/29/14 that are in context with line 1.

Tom

---

**From:** Vanbergen, Chris M (DOCCS)  
**Sent:** Monday, April 27, 2015 1:49 PM  
**To:** Mauro, Thomas A (DOCCS)  
**Subject:** RE: ECF 26147-14, FOX, 12B1626

Good afternoon Tom,

26198-15  
26147-15

I'm basically done with the initial review of this case, but it looks like I am also missing part(s) of one of his CORC appeals. I have the last page of one that is dated 12/29/14, and begins "...is instructing the mailroom to hold my mail pertaining to the real issues...". Could you provide me with any other pages for this appeal at your earliest convenience?

This case is scheduled to be heard by CORC on 4/29/15.

Thank you!

Chris

---

**From:** Mauro, Thomas A (DOCCS)  
**Sent:** Friday, March 27, 2015 12:10 PM  
**To:** Vanbergen, Chris M (DOCCS)  
**Subject:** FW: ECF 26147-14, FOX, 12B1626

Hi Chris,

Request is attached. Have a good weekend! FYI-I don't return to work until Wednesday 4/1/15.

Tom

---

**From:** Mauro, Thomas A (DOCCS)  
**Sent:** Friday, March 27, 2015 11:06 AM  
**To:** Mauro, Thomas A (DOCCS)  
**Subject:** ECF 26147-14, FOX, 12B1626

26198-151

26147-14

is instructing the mailroom to hold my mail pertaining to the real issues, so the mailroom is holding my mail and not sending it to commissioner, the governor and prisoners legal service. I also wrote a grievance on the superintendent and sent it to the commissioner of corrections so your office could refer to that as well, the superintendent is falsifying documents, my grooming standards (current hair-style) was never reviewed by a imam, what kind of people is working for DOCS, this is sick, as you could see this whole packet, 40 pages that has to be reviewed and the superintendent fails to investigate in order to cover up for the captain, D.S. Lt, Sgt and officers, this is clear gang activity. How could I meet grooming standards on both misbehavior reports, I was found not guilty and in compliance, now because I'm filing grievances for harassment DSS, and captain states I'm not in compliance I have to cut my hair, that's there order, but they are not man enough to put that on paper because they know they have no authority to tell me to do so in there official capacity, so verbally they tell me to cut my hair, exceeding the scope of there duty acting then in there personal capacity with intentions to harm me, and inflict cruel and unusual punishment on me,

Jawell Jp

12-29-14

JAVELL FOX 12B1626 SH 12-18  
 December 25, 2014

26198-15

26197-14  
 (EX 6)

GRIEVANCE NO.  
 EASTERN CORRECTIONAL FACILITY

On December 24 I received a letter from Diane Labbate, steward Dated December 23 2014, making me aware that she could not send out my legal mail with Advanced Disbursement because I'm over my Allowed Advance which is 20.00 per Directive 2788 so she claims, However I sent off legal mail ~~on~~ ~~at~~ on December 17, and the 18, 1, to the Governor, 2 to Prison legal services 3 to Commission of Corrections, 4, to Appellate Division Fourth Department, 5 to Peter J DiGiorgio Attorney At law, 6 District Attorney, and 4 miscellaneous mail to friends AND family to make them aware of the Abuse that been inflicted on me at this facility, and a week later she is informing me that it can't be mailed out, and on top of that my legal mail have not been returned to me yet (I'm furious) this is the second deadline that I've missed because of this lazy untrained inconsiderate mail room. I'm being denied access to the court, and I believe the mailroom is conspiring with officials to stop and stephete me from getting mail out reporting this facility

Javell Z  
 Action requested

In the future there should be no reason A Indigent inmate should have to send out A Disbursement if there is no MONEY TO DISBURSE, THIS IS COMMON SENSE. An Advance Disbursement is the proper Disbursement for A Indigent, Advance, loan etc., and the mailroom need to send out mail when they get it, and if there not gonna send it out dont inform me and still hold my mail.

26198-15  
26147-14

**Mauro, Thomas A (DOCCS)**

---

**From:** Mauro, Thomas A (DOCCS)  
**Sent:** Friday, April 17, 2015 3:34 PM  
**To:** 'christopher.hummel@ag.ny.gov'  
**Cc:** Vanbergen, Chris M (DOCCS)  
**Subject:** FW: ecf 26198-15/26147-14, FOX, 12B1626  
**Attachments:** [Untitled].pdf

Good afternoon,

Per your request ECF 26198-15 is attached for review. It pending appeal (of Supt. response) by I/M. To date a CORC appeal for it has not been received.

I have reviewed the folders for both complaints above. Copies of the documents (attachment G) contained within the CORC appeal for ECF 26147-14 have been placed in the folder for ECF 26198-15. Four of the 5 documents were not a part of ECF 26198-15. Only 1(a letter from D. Labbate dated 12/23/14) was included. It should be noted that the correspondence (grievance) dated Dec. 25 (note: DATE APPEARS TO HAVE BEEN CHANGED/ALTERED) that he submitted as part of exhibit G for his appeal to ECF 26147-14 as it appears was never received. We did ,however, receive a like (rewritten) complaint from him dated Dec. 25 regarding the same subject which was with few exceptions pretty much word-for-word the same complaint. This was filed as part of 26198-15.

I requested but was not provided with additional documentation from both IRC and Correspondence regarding the documents in exhibit G. Both areas stated they had nothing further to provide other than what they had already provided nor did they have copies of the two documents the grievant provided that came from their respective offices.

If you have not received them already...IRC has indicated you should be receiving all of the copies you previously requested soon.

Should you have any other requests, questions or concerns please let me know.

Have a great weekend!

Tom

**Thomas A. Mauro**

Inmate Grievance Program Supervisor

Department of Corrections and Community Supervision  
Eastern New York Correctional Facility  
30 Institution Road  
PO Box 338  
Napanoch, NY 12458-0338  
(845) 647-7400 ext 4700/4705 [Thomas.Mauro@doccs.ny.gov](mailto:Thomas.Mauro@doccs.ny.gov)

[www.doccs.ny.gov](http://www.doccs.ny.gov)



26198-15  
26147-14

---

**From:** Mauro, Thomas A (DOCCS)  
**Sent:** Friday, April 17, 2015 2:22 PM  
**To:** Mauro, Thomas A (DOCCS)  
**Subject:** FW: ecf 26198-15, FOX, 12B1626

SEND!

---

**From:** Mauro, Thomas A (DOCCS)  
**Sent:** Thursday, April 16, 2015 3:52 PM  
**To:** Mauro, Thomas A (DOCCS)  
**Subject:** ecf 26198-15, FOX, 12B1626



STATE OF NEW YORK  
DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION  
EASTERN NY CORRECTIONAL FACILITY

26198-15  
26147-14  
(EX 6)

TO: Fox, Javell 12B1626  
FROM: Diane Labbate, Steward  
SUBJ: Legal Postage Advances  
DATE: 12/23/14

D. 24

As per Directive 2788, justification is required to approve the attached postage advance forms. Your requested advance and balance of unpaid previous advances for legal mail exceed \$20.00. Exceeding the \$20 limit shall only be approved if you can show by court rules, a statute of limitations, or other legal deadline applicable to your individual circumstance that the legal mail must be sent prior to receipt of the next week's free postage allowance. Until your legal mail advances fall below \$20, please continue to provide this documentation for all future requests in order to expedite the approval process.

CC: file

ex from CORC appeal docs for 26147-14



## Corrections and Community Supervision

ANDREW M. CUOMO  
Governor

ANTHONY J. ANNUCCI  
Acting Commissioner

RECEIVED  
NYS OFFICE OF THE

SEP 14 2015

ATTORNEY GENERAL  
LITIGATION BUREAU

September 09, 2015

*Lisi-Murray*  
*15-192968-1*

Maria Lisi-Murray, Assistant Attorney General  
Office of the Attorney General  
Litigation Bureau  
The Capitol  
Albany, NY 12224-0341

RE: FOX, Javell  
DIN: 12B1626  
15-CV-0390 (TJM)(CFH)

Dear AAG Lisi-Murray:

Enclosed please find certified copies of the grievances in reference to the above captioned case.

If you need further documentation or have any questions, please do not hesitate to contact me at 845-647-7400 Ext. 4100.

Very truly yours,

A handwritten signature in cursive script that reads "Valerie R. Phillips".

Valerie R. Phillips  
Inmate Records Coordinator II

cc: file

EASTERN NEW YORK CORRECTIONAL FACILITY  
CORRESPONDENCE UNIT

Name: Fox, Javell Din: 12B1626 Loc: 12-18  
Date: 12/23/14 (EXG)

This piece of mail is being returned to you in accordance with Directives #4421 and #4422.

- \* Inmate to inmate mail, business mail, and Free Matter for the Blind mail must be submitted unsealed.
- \* All mail to other inmates must be approved in advance by your Counselor.
- \* Your name, din, and Eastern New York Correctional Facility must appear on the front and back of your envelope.
- \* You are allowed to mail 5 Free Legal Letters or a total allotment of \$2.40 per week. Any legal mail submitted after you have used your weekly allotment will be returned to you for stamps or a disbursement form. During this week, you used a total of \_\_\_\_\_ in free legal postage.
- \* Name or address on this legal mail is not listed in the New York Lawyers Diary and Manual, please send verification that this is in fact a legal address.
- \* When using an Advance Authorization Form #2078, an original Disbursement Form #2706 must also be attached.
- \* Disbursement Form or Advance Form is not allowed to be used for 49 cents postage – use a stamp.

You need to add \_\_\_\_\_ postage or a disbursement form.

- \* Your GED/ High School Diploma/ Transcript has arrived and has been forwarded to the Academic Office.
- \* Your study correspondence program information from \_\_\_\_\_ has arrived and has been forwarded to the Academic Office for review.
- \* The following has arrived at this facility for you and has been sent to the Inmate Records office for placement in your personal property:
 

<input type="radio"/> Social Security Card	<input type="radio"/> Certificate
<input type="radio"/> Driver's License	<input type="radio"/> Birth Certificate
<input type="radio"/> Marriage License	<input type="radio"/> Other
- \* This company is on our current Disapproved Vendor List (list can be viewed in the Library)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

EASTERN NEW YORK CORRECTIONAL FACILITY  
PO BOX 338  
NAPANOCH, NEW YORK 12458

26198-15 (EX G)

26147-14

MEMORANDUM

TO: FOX, J 12B1626 12-18  
FROM: E. Jennings, Inmate Records Coordinator I  
DATE: December 26, 2014  
RE: Legal Mail

Attached you will find 3 letters which have disbursements and advances attached. Please be advised that these letters do NOT fit the criteria of Legal Mail. Therefore, you need to supply stamps.

3 letters were returned however all of my legal mail is still being held pertaining to the violations of this facility and its officials, this is not right.

/emj

cc: file

ex from core appeal docs for 26147-14